

**MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
November 13, 2018 @ 7:00 PM**

In attendance were Mayor Bob Gordon, Treasurer Susan Brewer, Secretary Peter Michel, Council Member Ronald Belinko, Town Manager Debbie Botchie, GMB Representative Andrew Lyons Jr., and Town Clerk Matt Amerling. Deputy Mayor Steve Maneri was absent.

1. CALL MEETING TO ORDER

Mayor Bob Gordon called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

Mayor Gordon stated everyone was present except Deputy Mayor Steve Maneri.

4. ADOPTION OF TOWN COUNCIL MINUTES AND NOTES

A. Adoption of Town Council Minutes – October 9, 2018

B. Adoption of Town Council Workshop Minutes – October 23, 2018

C. Adoption of Town Council with Comprehensive Plan Committee Minutes – October 30, 2018

Council Member Ronald Belinko motioned to adopt all three (3) of the October Town Council meeting minutes. Treasurer Susan Brewer seconded the motion. Motion carried 4-0.

5. FINANCIAL REPORT – Treasurer Susan Brewer

A. October 2018

Treasurer Susan Brewer read the Financial Report for the month ending 10/31/18.

October 31, 2018:

General Revenue: \$ 135,603. Restricted Revenue: \$ 107,917.

General Expenses: 71,528. Restricted Expenses: 18,860.

6. ADMINISTRATIVE MATTERS

A. Administrative Report for October 2018 – Town Manager

Town Manager Debbie Botchie stated the Town has moved seven-hundred-fifty-thousand dollars (\$750,000) from the Town's general account and opened up three (3) more certificates of deposit (CDs) with WSFS Bank. Ms. Botchie stated the Town got one (1) CD for two-hundred-fifty-thousand dollars (\$250,000), forty-eight (48) months at three-point-two percent (3.2%) interest; Citibank National Association \$250,000 for sixty (60) months at three-point-thirty-five percent (3.35%) interest; and an HSBC BK market linked CD for \$250,000 for thirty (30) months and the Town gets the interest at maturity

and so far the Town has done very well with these types of CDs.

Ms. Botchie stated she also distributed her report from the International City Managers Association (ICMA) conference in Baltimore this past September as well as her expense report from the trip.

MOTION TO ENTER PUBLIC HEARING

Ms. Brewer motioned to enter Public Hearing at 7:05 p.m. Secretary Peter Michel seconded the motion. Motion carried 4-0.

7. OLD BUSINESS

A. Public Hearing Notice – Secretary

B. Written Comments – Town Manager

There were no written comments.

C. Discuss Ordinance 19-07, which will amend the Town Code at Chapter 155, entitled “Zoning,” at 155-13 C-1, entitled “Town Center Commercial District,” 155-18, entitled “Principal Use,” and 155-79, entitled “Definitions and word usage,” and at Chapter 125, entitled “Subdivision of Land,” at 125-4, entitled “Compliance Required.” The ordinance was previously discussed at the October 23, 2018, Town Council Workshop meeting.

Town Manager Debbie Botchie stated the Town’s current Code states a property owner may only have one (1) principle use and one (1) building on any lot in any district, and there are several parcels along Route 26 which have more than one business on a parcel, and they are pre-existing, legally non-conforming. Ms. Botchie stated this amendment does not change any uses already permitted in the C-1 Town Center Commercial District. Ms. Botchie stated this amendment will eliminate so many entrances coming off Route 26 to a single parcel; and these single parcels the Town has are so odd-shaped, this would give people the opportunity to put parcels together and build more of a small-scale town center/shopping and business instead of a strip mall on Route 26, which has always been the Town’s vision. Ms. Botchie stated on the drawing (Town Code & Building Official Eric Evans drew at the October 23, 2018, Workshop meeting), the vision is on the right-hand side with one (1) entrance leading into, in this example, four (4) different buildings with multiple businesses, with one (1) sign and one (1) stormwater pond, versus the drawing on the left – same size parcel – which is how things are set up now, with four (4) multiple entrances for separate lots all placed close together, four (4) signs, and four (4) stormwater ponds. Ms. Botchie stated the Town will be seeing this on this corridor as people are getting away from residential uses – these lots are already zoned as commercial – and this would have a fit for town centers which will be walkable. Ms. Botchie stated the Town can require sidewalks to be put in and, eventually, all of Route 26 which builds commercial would have to have sidewalks.

Ms. Botchie stated there was also a change in the ordinance regarding sidewalk sales, and currently in the C-1 (Commercial) District, the Code says a person can only have two (2) sidewalk sales per year, but it is never enforced because Giant has all this seasonal kind of stuff out there and so does Weis. Ms. Botchie stated the Town has other smaller businesses which are putting a lot of product on their sidewalk and the Town feels it's a safety hazard. Ms. Botchie stated the new language in this ordinance states "no merchandise displayed on sidewalk shall be permitted which obstructs, interferes with, or in any way is a hazard to the orderly movement of pedestrian traffic. A minimum of five (5) feet of unobstructed sidewalk (the width of the curb shall not be included) will be provided at all times." Ms. Botchie stated this amendment will help clear away a lot of stuff that businesses have on their sidewalks in the commercial district. Ms. Botchie stated Giant Food already has a twelve (12)-foot clearance and the Town hasn't had any problems there. Ms. Botchie stated this language would also help eliminate any possible obstructions from the little town centers Council has been discussing. Ms. Botchie stated the minimum acreage to fit in the C-1 District is two (2) acres with the maximum being four (4) acres. Ms. Botchie stated Giant Food and Weis are already grandfathered in as C-2 District, which is for larger scale size stores, but more C-2 is not something Ms. Botchie thinks Council or residents want for the rest of the Route 26 corridor.

Mayor Gordon asked, regarding the entrance for the proposed larger lot with multiple businesses on Mr. Evans' drawing, does anyone know how wide the entrance would be for customers to get in and out? Ms. Botchie stated DelDOT will determine that width. Mr. Andrew Lyons Jr., of GMB, stated a lot of it would depend on the traffic study which is done, so, if it's known what type of businesses are going there, DelDOT will have to put in how much traffic is involved on that site; but there is a general type of entranceway for typical commercial businesses. Mr. Lyons stated it may be like how the Dollar General has three (3) lanes going – two (2) going out, one (1) going in. Mayor Gordon stated in the example there are four (4) buildings and there will be a drive going across the top which is a problem Mayor Gordon initially had when Dollar General was done because there have since been quite a few (car) crashes and DelDOT has "thrown their hands up and said 'it's not my fault,'" and there is no turn lane for cars entering the premises to slow down to enter into. Mayor Gordon asked if when this enters the design stage, could there be two (2) entrances rather than one (1). Mr. Lyons stated it depends because when there are four (4) stores like in the example, basically, there will have to be a turn lane but it may not; it all depends on how many people come in. Mr. Lyons stated what will be eliminated is if there are four (4) separate entrances, none of those will have turn lanes. Mr. Lyons stated DelDOT will look at how much traffic there will be, how many stores are coming in, and what the speed limits are to make a decision on entranceways. Mayor Gordon stated he was wondering if there is anything Council can do to, for instance, prohibit left-hand turns coming out of the parcel because, when a person looks at the traffic on Route 26, the middle lane becomes a passing lane or whatever drivers want it to be. Mayor Gordon asked if Council can prohibit left-hand turns. Mr. Lyons stated Council can make a request to DelDOT, but, ultimately, DelDOT makes the final decision.

D. Residents/Property Owner Comments & Questions

Mr. Frank Vigna, of Coventry, asked, for instance of Dollar General, if Council can make it so drivers can only make a right-hand turn coming out of Dollar General. Ms. Botchie stated Council can request such a rule but DelDOT ultimately makes the decision; DelDOT owns the road. Ms. Botchie stated with Dollar General there is an escrow set up for a traffic light, if needed, but, right now, DelDOT says a traffic light is not warranted at that location.

Council Member Ronald Belinko asked if any developers or businesses are looking into the small-scale shopping center concept for any parcels in Town. Ms. Botchie stated yes.

MOTION TO CLOSE PUBLIC HEARINGS

Ms. Brewer motioned to close the public hearings at 7:23 p.m. Secretary Peter Michel seconded the motion. Motion carried 4-0.

8. OLD BUSINESS

- A.** Review and possible vote on Ordinance 19-07, which will amend the Town Code at Chapter 155, entitled "Zoning," at 155-13 C-1, entitled "Town Center Commercial District," 155-18, entitled "Principal Use," and 155-79, entitled "Definitions and word usage," and at Chapter 125, entitled "Subdivision of Land," at 125-4, entitled "Compliance Required."
Mayor Gordon requests individual vote.

Mr. Belinko motioned to adopt Ordinance 19-07. Council Member Peter Michel seconded the motion. Council Member Ronald Belinko voted yes. Treasurer Susan Brewer voted yes. Secretary Peter Michel voted yes. Mayor Gordon voted yes. Motion carried 4-0.

9. CITIZENS' PRIVILEGE

Mr. Dennis Hartline, of Coventry, asked, when discussing the Town purchasing the CDs, could Council explain getting the interest at maturity for the one \$250,000 CD? Mayor Gordon stated the Federal Deposit Insurance Corporation (FDIC) will secure deposits of up to \$250,000, and anything the Town puts in there will be guaranteed so the money will be put in a checking account so it will go straight to a money market, but, if there is something that happens, the Town is covered.

Mr. Hartline asked if any bids have been received on the Town's park and what of the current status. Mr. Lyons stated GMB is finalizing the site plan right now and is also waiting for a little more information on the pickleball courts as well as a couple of the final details and it will be ready to go. Mayor Gordon stated the Town has not gone out to bid yet because the Town's bids are not available yet to send out. Mr. Frank Vigna, of

Coventry, asked if any lighting was being planned to install. Ms. Botchie stated the park has to have lights for security purposes. Mr. Belinko stated, in his experience, when lighting is used, vandalism is down because people are paranoid someone's either present on-site, or watching. Mr. Lyons stated lighting design is one of the items GMB is also waiting on. Mayor Gordon stated it's been three-and-a-half (3 ½) years since the Town purchased the property and Mayor Gordon would've never thought it would have taken as long as it has (to finish), but the Town has come this far and we want to make sure it's all done right so the Town will have to deal with an unnecessary issue after the fact.

10. ANNOUNCEMENT OF NEXT MEETING –TOWN COUNCIL WORKSHOP MTG., NOVEMBER 27, 2018 – Mayor Gordon wished everyone a happy Thanksgiving!

11. ADJOURNMENT

Ms. Brewer motioned to adjourn at 7:30 p.m. Mayor Gordon seconded the motion. Motion carried 4-0.

Respectfully submitted,
Matt Amerling, Town Clerk